

1 Mark Potter, Esq., Cal. Bar. No. 166317
 2 Sarah Anastasi, Esq., Cal. Bar. No. 322091
Potter Handy, LLP
 3 100 Pine St., Ste 1250
 4 San Francisco, CA 94111
 5 (858) 375-7385; (888) 422-5191 fax
 6 Email: rsa@potterhandy.com

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 8 *Counsel for Plaintiff*

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 10 **UNITED STATES DISTRICT COURT**
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

11 IN RE: UBER TECHNOLOGIES, INC.,
 12 PASSENGER SEXUAL ASSAULT
 13 LITIGATION

MDL No. 3084 CRB

14 This Document Relates to:

Honorable Charles R. Breyer

15 *M.A. v. Uber Technologies, Inc., et al.*

JURY TRIAL DEMANDED

16 Case No. 3:24-cv-02568-CRB

17
 18 **FIRST AMENDED SHORT-FORM COMPLAINT**

19
 20 **AND DEMAND FOR JURY TRIAL**

21 The Plaintiff named below files this *First Amended Short-Form Complaint and*
 22 *Demand for Jury Trial* against Defendants named below by and through the undersigned
 23 counsel. Plaintiff incorporates by reference the allegations contained in *Plaintiffs' Master*
 24 *Long-Form Complaint* in *In Re: Uber Technologies, Inc., Passenger Sexual Assault*
 25 *Litigation*, MDL No. 3084 in the United States District Court for the Northern District of
 26 California. Plaintiff files this *First Amended Short-Form Complaint* as permitted by Case
 27 Management Order No. 6 of this Court.

1 Plaintiff selects and indicates by checking-off where requested, the Parties and
 2 Causes of Actions specific to this case.

3 Plaintiff, by and through their undersigned counsel, allege as follows:

4 **I. DESIGNATED FORUM¹**

- 5 1. Identify the Federal District Court in which the Plaintiff would have filed
 6 in the absence of direct filing:

7 Northern District of California

8 ("Transferee District Court")

9 **II. IDENTIFICATION OF PARTIES**

10 **A. PLAINTIFF**

- 11 1. *Injured Plaintiff*: Name of the individual who alleges they were sexually
 12 assaulted, battered, harassed, or otherwise attacked by an Uber driver with
 13 whom they were paired while using the Uber platform:

14 M.A., an individual

15 ("Plaintiff")

- 16 2. At the time of the filing of this *Short-Form Complaint*, Plaintiff resides at:
 17 Olmsted, Cuyahoga County, OH
-

- 18 3. (If applicable) _____ [INSERT NAME OF
 19 REPRESENTATIVE] is filing this case in a representative capacity as the [INSERT
 20 DESCRIPTOR IE ADMINISTRATOR] of the [INSERT DESCRIPTOR IE
 21 ESTATE NAME, ETC], and has authority to act in this representative capacity
 22 because [INSERT BASIS FOR AUTHORITY].

23 **B. DEFENDANT(S)**

- 24 1. Plaintiff names the following Defendants in this action.

25 UBER TECHNOLOGIES, INC.²

28 ¹ See Pretrial Order No. 6, at II(C) (ECF No. 177).

² Delaware corporation with a principal place of business in California.

1 RASIER, LLC,³

2 RASIER-CA, LLC.⁴

3 OTHER (specify): _____ This defendant's
4 residence is in (specify state): _____.

5 **C. RIDE INFORMATION**

6 1. The Plaintiff was sexually assaulted, harassed, battered, or otherwise
7 attacked by an Uber driver in connection with a ride facilitated on the Uber
8 platform in Cuyahoga County, Ohio on 10/29/2022

9 2. The Plaintiff was the account holder of the Uber account used to request the
10 relevant ride.

11 3. The Plaintiff provides the following additional information about the ride:
12 The Plaintiff hereby incorporates Plaintiff's disclosure of ride
13 information produced pursuant to Pretrial Order No. 5 ¶ 4 on [N/A] or to be
14 produced in compliance with deadlines set forth in Pretrial Order No. 5 ¶ 4,
15 and any amendments or supplements thereto.

16 The origin of the relevant ride was [STREET ADDRESS, CITY,
17 COUNTY, STATE]. The requested destination of the relevant ride was
18 [STREET ADDRESS, CITY, COUNTY, STATE]. The driver was
19 named [DRIVER NAME].

20

21 **III. CAUSES OF ACTION ASSERTED**

22 1. The Causes of Action asserted in the *Plaintiffs' Master Long-Form*
23 *Complaint*, and the allegations with regard thereto in the *Plaintiffs' Master*
24 *Long-Form Complaint*, are adopted in this *Short-Form Complaint* by
25 reference, except that Plaintiff opts out of and excludes the causes of action

26

27 ³ A limited liability company whose sole member, Uber Technologies, Inc., is a citizen of Delaware and California.

28 ⁴ A limited liability company whose sole member, Uber Technologies, Inc., is a citizen of Delaware and California.

1 specified below:

2

3 Check any EXCLUDED causes of action	4 Cause of Action Number	5 Cause of Action
6 <input type="checkbox"/>	7 I	8 NEGLIGENCE (including Negligent Hiring, Retention, 9 Supervision, and Entrustment)
10 <input type="checkbox"/>	11 II	12 FRAUD AND MISREPRESENTATION
13 <input type="checkbox"/>	14 III	15 NEGLIGENT INFILCTION OF EMOTIONAL DISTRESS
16 <input type="checkbox"/>	17 IV	18 COMMON CARRIER'S NON-DELEGABLE DUTY TO 19 PROVIDE SAFE TRANSPORTATION ⁵
20 <input type="checkbox"/>	21 V	22 OTHER NON-DELEGABLE DUTIES TO PROVIDE SAFE 23 TRANSPORTATION ⁶
24 <input type="checkbox"/>	25 VI	26 VICARIOUS LIABILITY FOR DRIVERS' TORTS - 27 EMPLOYEE
28 <input type="checkbox"/>	29 VII	30 VICARIOUS LIABILITY FOR DRIVERS' TORTS - 31 APPARENT AGENCY
32 <input type="checkbox"/>	33 VIII	34 VICARIOUS LIABILITY FOR DRIVERS' TORTS - 35 RAIFICATION
36 <input type="checkbox"/>	37 IX	38 VICARIOUS LIABILITY FOR DRIVERS' TORTS - Cal. Public 39 Utilities Code S 535
40 <input type="checkbox"/>	41 X	42 STRICT PRODUCTS LIABILITY - DESIGN DEFECT
43 <input type="checkbox"/>	44 XI	45 STRICT PRODUCTS LIABILITY - FAILURE TO WARN
46 <input type="checkbox"/>	47 XII	48 STRICT PRODUCTS LIABILITY - PRODUCT LIABILITY 49 ACTS
50 <input type="checkbox"/>	51 XIII	52 UNFAIR COMPETITION LAW - Cal. Bus. & Prof. Code S 53 17200 et seq.

21

22 **VI. ADDITIONAL CAUSES OF ACTION AND/OR ALLEGATIONS**

- 23 1. Plaintiff asserts the following additional theories against the Defendants
24 designated in paragraph __ above:

26 ⁵ This claim is pleaded in the *Plaintiffs' Master Long-Form Complaint* under the laws of every state except:
27 **Arizona, Colorado, District of Columbia, Illinois** (for incidents prior to August 11, 2023), **Michigan,**
28 **Montana** (for incidents prior to April 23, 2023), **New York, Pennsylvania, Wisconsin, and Wyoming.**

26 ⁶ This claim is pleaded in *Plaintiffs' Master Long-Form Complaint* under the laws of every state except:
27 **District of Columbia, Michigan, New York, Pennsylvania.**

1 [N/A]

2 2. If Plaintiff has additional factual allegations not set forth in *Plaintiffs'*
3 *Master Long-Form Complaint*, they may be set forth below or in additional
4 pages:

5 Additional facts will be set forth in Plaintiff Fact Sheet to be submitted to
6 court at a separate date.

7
8
9 **WHEREFORE**, Plaintiff prays for relief and judgment against Defendants for
10 economic and non-economic compensatory and punitive and exemplary damages, together
11 with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems
12 proper, and such further relief as the Court deems equitable and just, and as set forth in
13 *Plaintiffs' Master Long-Form Complaint*.

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15 **JURY DEMAND**

16 Plaintiff hereby demands a trial by jury as to all claims in this action.

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18 Dated: January 3, 2025

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20 By: /s/Sarah Anastasi
21 Sarah Anastasi, Esq.
22 Attorney for Plaintiff

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